

1       A.    No, she did not pay the full amount of the  
2 bill.

3       Q.    I see also looking at a column called meter  
4 reading in the body of the document that the meter  
5 readings seem to not -- they're not linear; in other  
6 words, they jump from 2986 all of a sudden to 348  
7 and --

8       A.    Well, that's the period of when the meter  
9 was changed.

10      Q.    Okay. Is that what those asterisk  
11 represent?

12      A.    Yes.

13      Q.    And they direct -- they intended to direct  
14 the attention to the lower asterisk marked text  
15 beneath the body of that transcript?

16      A.    Right, showing the dates where the meter was  
17 changed and what the readings were.

18      Q.    Okay. Can you read or can you explain to me  
19 what happened in just plain English on what date?

20      A.    On January 22nd, we came out and changed  
21 Ms. Edwards' meter. The removed index of the old  
22 meter 1786743 was 3067. And then we set a new meter

1    which is meter 2619262, we set that the same date  
2    January 22nd at all zeros, the brand new meter we  
3    gave her.

4       Q.    So does that account for the disparity in  
5    the readings?

6       A.    For that juncture, yes.

7       Q.    Now, when we removed that meter, why did we  
8    remove that meter?

9       A.    To test it for accurate per Ms. Edwards'  
10   request, I would assume, back in January.

11      Q.    Can you tell me what the present balance is  
12   on that account?

13      A.    Her present balance is 891.44.

14      Q.    All right. Going back to the high -- you  
15   mentioned -- I'm sorry. Strike that.

16                    You mentioned that on January 22nd we  
17   were out at her premises; isn't that right?

18      A.    Yes.

19      Q.    I'd like to go back to that and ask you  
20   whether you have reviewed any company records  
21   related to that time that we were at her premises?

22      A.    Yes, I did.

1 Q. And did you provide any of those records for  
2 me?

3 A. Yes, I did.

4 (Whereupon, Respondent's  
5 Exhibit No. 3 was  
6 marked for identification  
7 as of this date.)

8 MR. McCARTHY: Let the record reflect that I am  
9 providing Mr. Schmoldt with a copy of a document  
10 that's been marked Respondent's Exhibit No. 3 for  
11 identification and that I've provided one copy of  
12 the same to Ms. Edwards and three copies of the same  
13 to the Hearing Examiner.

14 BY MR. McCARTHY:

15 Q. Mr. Schmoldt, do you recognize this  
16 document?

17 A. Yes.

18 Q. What is it?

19 A. It's a copy of a shop report.

20 Q. And what is the date of this -- that this  
21 report was prepared?

22 A. January 22nd.

1 Q. Of?

2 A. 2001.

3 Q. And what address and customer does this  
4 record pertain to?

5 A. The address is 7129 South Indiana and it  
6 pertains to Christine Edwards.

7 Q. And what was it that this document -- strike  
8 that.

9 Why was this document prepared?

10 A. It was regarding a high bill complaint that  
11 Ms. Edwards had.

12 Q. So what does this -- does this document tell  
13 somebody to go out and perform a high bill  
14 inspection?

15 A. Yes.

16 Q. And was one performed?

17 A. Yes.

18 Q. When was it performed?

19 A. On January 22nd at 1:00 o'clock in the  
20 afternoon.

21 Q. And what, if anything, does this report show  
22 was found?

1       A.     The service person who went out that day  
2 found that the range, the hot water heater, the  
3 central heating plant, the room heater and the dryer  
4 were all in good working order and that they changed  
5 the meter and they take it to have it tested by the  
6 City.

7       Q.     Okay. And I see -- where is that located in  
8 the document, that summary?

9       A.     It says what was found underneath the  
10 initial gist of the complaint.

11      Q.     Okay. And there appear to be acronyms in  
12 there. Can you just translate those for us?

13      A.     Well, the RGE means range; the HW means hot  
14 water heater; central heating plant for CHP and then  
15 the RMHT means room heater and then dryer is spelled  
16 out.

17      Q.     Thanks. Now, this exhibit that I'd provided  
18 you, it's more than one page, isn't it?

19      A.     Yes.

20      Q.     What are the other two pages?

21      A.     The other two pages are just the copies of  
22 the remarks of the service person. Basically it's

1 the same thing: Going out there, checking for  
2 the -- changing the meter and testing it and doing a  
3 check of -- he said also looking at the baseboard  
4 heating in the basement.

5 Q. Okay.

6 MS. CHRISTINE EDWARDS: I don't want to  
7 interfere, but I don't understand what he mean  
8 baseboard heater. Does he mean another radiator?  
9 Is that considered a baseboard heater?

10 THE WITNESS: Right. He says basement radiator  
11 or baseboard heater. Whatever.

12 MS. CHRISTINE EDWARDS: Because I don't have any  
13 baseboard heaters. It's a radiator as far as my  
14 knowledge.

15 THE WITNESS: It's a radiator? Well, he says  
16 heating, basement radiator.

17 MR. MCCARTHY: What kind of heating do you have  
18 in that house? Is it a boiler or is it a furnace  
19 that blows hot air?

20 MS. CHRISTINE EDWARDS: Boiler.

21 MR. MCCARTHY: Okay. Well, I'd like to go on  
22 with my questioning now.

1 BY MR. MCCARTHY:

2 Q. Now, on Page 3 there's a note in a remarks  
3 area. What does it say there?

4 A. It says he found and repaired a very small  
5 <sup>leak</sup> like at pilot tubing at the space heater on back  
6 porch and tightened nuts.

7 And I'm not what sure what ABC okay is,  
8 but ABC okay.

9 Q. Okay. And was that done on the same day,  
10 then?

11 A. Yes.

12 Q. What date was that again?

13 A. On January 22nd, 2000.

14 Q. Okay. You said that the employee on January  
15 22nd, he removed the meter?

16 A. Yes.

17 Q. Why did he remove it, again?

18 A. To get it tested for accuracy.

19 Q. Does the company have a record of any  
20 subsequent tests of that meter?

21 A. Yes.

22

1 (Whereupon, Respondent's  
2 Exhibit No. 4 was  
3 marked for identification  
4 as of this date.)

5 MR. McCARTHY: Let the record reflect that I am  
6 handing a copy of a document that's been marked as  
7 Respondent's Exhibit No. 4 for identification to  
8 Mr. Schmoldt and one copy of the same to Christine  
9 Edwards and three copies of the same to the Hearing  
10 Examiner.

11 BY MR. McCARTHY:

12 Q. Mr. Schmoldt, do you recognize this  
13 document?

14 A. Yes.

15 Q. What is it?

16 A. It's a copy of the meter test report for the  
17 meter that we took out of Ms. Edwards' premises.

18 Q. And can you explain to me how you know this  
19 is the report for that particular meter?

20 A. On the company number, the company number is  
21 the meter number that was at her premise, 1786743.

22 Q. Is that the same number that's listed as the



1 meter in your Exhibit No. 1?

2 A. Yes.

3 Q. And what, if anything, does this document  
4 tell you?

5 A. That the meter tested okay in parameters.

6 Q. Okay. And those parameters are set by who?

7 A. The Illinois Commerce Commission.

8 Q. All right. And where does it indicate that?

9 A. On the bottom of the page it says meter  
10 index okay.

11 Q. Where are the results of the particular test  
12 in this?

13 A. Right underneath where it says volumetric  
14 test.

15 Q. And what date was this meter tested?

16 A. On January 29th of 2001.

17 Q. And the test results are right beneath that;  
18 is that right?

19 A. Right.

20 Q. Did Peoples Gas perform any other inspection  
21 at the customer's premises after that January 22nd,  
22 2001 inspection?

1       A.     Yeah, we went out there in March, the one  
2     that Mr. McGee went out on.

3       Q.     So that inspection is represented by the  
4     Respondent's Exhibit No. -- I guess it's  
5     Respondent's Exhibit No. 1. The other one is  
6     Respondent's Exhibit No. 2 that I was referring to  
7     earlier. There might be a little confusion in the  
8     record.

9                     And what, if anything, did that -- were  
10    the results of that inspection?

11       A.     The -- Mr. McGee's inspection?

12       Q.     Yeah.

13       A.     That the only thi- -- well, they went out  
14    there and found the leak for Ms. Edwards at the  
15    space heater or room heater, whatever it is you want  
16    to call it, and they disconnected the pipes for her.

17       Q.     Brian, do you know how much gas is  
18    represented by one MRD on a meter?

19       A.     Yeah, it's basically 100 cubic feet.

20       Q.     And if 100 cubic feet of gas were to leak  
21    into a room in a short amount of time, would that be  
22    dangerous?

1 A. It would be very dangerous.

2 Q. For a leak to substantially impact a bill --

3 A. It has to be going on for a long time for it  
4 to substantially -- you know, to make her bill a lot  
5 higher than normal usage.

6 Q. And would it have to be a significant  
7 volume?

8 A. It would have to be a lot of gas, yes.

9 Q. All right. Mr. Schmoldt, did you prepare  
10 any analysis of the complainant's gas usage in prior  
11 years as compared to her usage in this most recent  
12 winter?

13 A. Yes, I did a degree day analysis on the past  
14 three years on her account.

15 Q. And what, in general, did that analysis  
16 show?

17 A. That everything was in parameters with  
18 normal billing.

19 Q. And when you say parameters in normal  
20 billing, do you mean that the usage is consistent  
21 with her prior years?

22 A. Yes.

1 Q. Did you provide me with a copy of your  
2 analysis?

3 A. Yes.

4 Q. And what did you use to create that  
5 analysis?

6 A. I used Ms. Edwards' records.

7 Q. And when you say Ms. Edwards' records --

8 A. Ms. Edwards' company records.

9 Q. -- you mean the records of the company  
10 regarding Ms. Edwards' account?

11 A. Right.

12 (Whereupon, Respondent's  
13 Exhibit No. 5 was  
14 marked for identification  
15 as of this date.)

16 MR. McCARTHY: Let the record reflect that I am  
17 providing a copy of a document that's been marked  
18 Respondent's Exhibit No. 5 to Mr. Schmoldt and one  
19 copy of the same to Ms. Edwards and one copy -- or  
20 three copies of the same to the Hearing Examiner.

21 BY MR. McCARTHY:

22 Q. Mr. Schmoldt, do you recognize this

1 document?

2 A. Yes.

3 Q. What is it?

4 A. This is the analysis for the degree day for  
5 Ms. Edwards' records.

6 Q. And it appears that there's -- what are  
7 these documents entitled?

8 A. Calculation of index.

9 Q. And what do they -- there appear to be a  
10 number of handwritten notations in this document.  
11 Can you go through and explain in plain English what  
12 is going on in these?

13 A. This is the -- the basis is the days that we  
14 use to calculate the bill to see -- compare the gas  
15 usage on the company records. So we used the period  
16 from which Ms. Edwards was saying her bill jumped up  
17 dramatically from November to March. So we used  
18 those days and used the total MRD and figure out a  
19 degree day and what it comes to MRDs as per day or  
20 degree days per day.

21 Q. Okay. So eventually you get to a number on  
22 this document called -- what's the ultimate number

1 that we get off of each one of these documents?

2 A. The heating factor, the MRD.

3 Q. And what is that? Is that --

4 A. It's .3535.

5 Q. .3535 and that means that -- let's step back  
6 a second. What is a degree day?

7 A. It's based on -- a degree day would be that  
8 she's using heat for that day. So we'd have to say  
9 that that day she's going to have -- heat is going  
10 to be on in her premise.

11 Q. Okay. And what -- where do we get the  
12 information on the number of degree days on any  
13 particular day?

14 A. I can't think of what it's called. We  
15 have --

16 Q. Do we get it from the government?

17 A. We have a chart and it shows what the degree  
18 day is per day and I can't remember what it's called  
19 off the top of my head.

20 Q. What is the source of that information,  
21 though, is it from the government? Is it from --

22 A. I'm -- I don't know where the source is

1 from, but I just know that we have company records  
2 of what the degree day is per day. I don't know  
3 where it's from.

4 Q. All right. Well, there is -- how many  
5 different periods did you look at?

6 A. Three different periods.

7 Q. What were those periods that you looked at?

8 A. I looked from March 19th of 2001 to November  
9 16th of 2000 and I used March 16th of 2000 to  
10 October 20th of 1999 and March 17th of 1999 to  
11 November 13th of 1998.

12 Q. And are all those -- those three different  
13 periods that you looked at or used, were they  
14 bounded by company readings?

15 A. Company records and readings, yes.

16 Q. And then what is the -- strike that.

17 What is the purpose of calculating  
18 the -- that number, the end result number that I  
19 spoke to you about, in one case .3535 heating MRD  
20 per degree day?

21 A. To see how it compares to previous years,  
22 see how if there's a significant gas increase or

1 usage, I should say, throughout the three years;  
2 comparing the three years to see how they compare to  
3 one another, to see if one year is a lot more usage  
4 compared to the other years.

5 Q. And is that -- by using degree days, by  
6 making a degree day analysis, does that remove from  
7 the calculation factors of weather?

8 A. No, weather is included in that.

9 Q. In other words, it's normalized for weather?

10 A. Right.

11 Q. Okay. Now, I'd like you to look at those  
12 three periods and tell me -- if you could read off  
13 the period and the heating factor, as you called it,  
14 the number of heating MRD per degree day for each  
15 period.

16 A. Okay. First period is from November 16th  
17 2000, to March 19th of 2001, the degree factor is  
18 .3535.

19 And then the second period is from  
20 October 20th, 1999, to March 16th of 2000 and the  
21 degree factor is .3436.

22 And the last factor was from November



1 13th, 1998, to March 17th, 1999, and that factor was  
2 .3555.

3 Q. Okay. And these calculations and numbers,  
4 you're getting those off from the first two pages of  
5 the exhibit?

6 A. No, I'm getting it off of company records.

7 Q. Oh, I see. But you recorded them on the  
8 first two pages of this exhibit?

9 A. Right.

10 Q. And the last page of this exhibit, what is  
11 that document?

12 A. That's a history of Ms. Edwards' account for  
13 the past three years.

14 Q. So does that have the readings that you used  
15 to create this --

16 A. Yes.

17 Q. -- degree day analysis?

18 A. Yes.

19 Q. What does this tell you? What do these  
20 result tell you, Brian, in your experience as a  
21 customer service rep?

22 A. It tells me that everything is fine with the

1 account; everything is in line.

2 Q. And by that what do you mean? Do you want  
3 that her usage is similar to prior years?

4 A. Yes.

5 Q. What then it seems here she's complaining of  
6 high bills. What, if anything, do you think is  
7 causing those high bills based on your analysis?

8 A. Colder weather at the beginning of this  
9 year.

10 Q. And is there anything else?

11 A. And the higher cost of gas this year.

12 Q. How much did the cost of gas increase?

13 A. It tripled, so it's probably 100 percent it  
14 went up.

15 Q. Well, now, you also -- or did you compare  
16 her usage with her neighbor's usage?

17 A. Mm-hmm, yes, I did.

18 Q. And what -- was there a discrepancy between  
19 her usage and their usage?

20 A. There was a little -- she -- Ms. Edwards  
21 used a little more gas than what here neighbors did,  
22 yes.

1 Q. Were either of her neighbors on a budget  
2 plan?

3 A. I believe one of her neighbors was on a  
4 budget plan, yes.

5 Q. Would that lead, if you looked at their  
6 bills, to thinking that they were getting charged  
7 less perhaps?

8 A. If they just looked at the budget amount and  
9 not at the billing amount, yes.

10 Q. Did you look at Earl Bell's bill?

11 A. Yes.

12 MR. McCARTHY: Can we go off the record for a  
13 second?

14 JUDGE HAYNES: Sure.

15 (Discussion off the record.)

16 BY MR. McCARTHY:

17 Q. Mr. Schmoldt, were exhibits -- let me give  
18 you a copy of all the exhibits that we have entered.  
19 Were Exhibits 1, 3 and 4 made by persons with  
20 knowledge of the facts contained therein?

21 A. Yes.

22 Q. Were they made at or near the time of the

1 events recorded in there?

2 A. Yes.

3 Q. Is it the regular practice of Peoples Gas to  
4 make such records?

5 A. Yes.

6 Q. And does Peoples Gas keep such records in  
7 the ordinary course -- in the course of its ordinary  
8 business activity?

9 A. Yes.

10 Q. In the case of Exhibit 2 and Exhibit 5, you  
11 stated earlier that you prepared these documents  
12 using data from records of the company; is that  
13 right?

14 A. That is correct.

15 Q. Were the underlying records that were used  
16 to create Exhibits 2 and 5 made by persons with  
17 knowledge of the facts contained therein?

18 A. Yes.

19 Q. Were they made at or near the time of the  
20 events record in them?

21 A. Yes.

22 Q. Is it the regular practice of Peoples Gas to

1 make such records?

2 A. Yes.

3 Q. Does Peoples Gas keep such records in the  
4 ordinary course of its business activities?

5 A. Yes.

6 Q. Did you accurately transpose the information  
7 from the underlying records regarding Exhibits 2 and  
8 5 onto Exhibits 2 and 5?

9 A. Yes.

10 MR. McCARTHY: I ask that Respondent's Exhibits 1  
11 through 5 be entered into evidence at this time.

12 JUDGE HAYNES: Do you have an objection to these  
13 exhibits?

14 MS. CHRISTINE EDWARDS: No, objections to the  
15 exhibits. I'd like to talk --

16 JUDGE HAYNES: Okay. We will.

17 Let the record reflect that  
18 Respondent's Exhibits 1, 2, 3, 4 and 5 are admitted  
19 into the record.

20

21

22

1 (Whereupon, Respondent's  
2 Exhibit Nos. 1 through 5 were  
3 admitted into evidence as  
4 of this date.)

5 JUDGE HAYNES: Are you done with your direct  
6 examination?

7 MR. McCARTHY: Yes.

8 JUDGE HAYNES: Okay.

9 CROSS-EXAMINATION

10 BY

11 MS. CHRISTINE EDWARDS:

12 Q. In reference to all of these Exhibits 1  
13 through 5, if they aren't based on facts considering  
14 the leak that was involved, they wouldn't reflect  
15 what really should have been the actual bills; is  
16 that wrong or right?

17 A. So you're -- what --

18 Q. In other words, these things were filled out  
19 without taking into consideration of that leak. In  
20 other words, if this leak wasn't incorporated in  
21 what you formulated based on your procedures, then  
22 the reading would be different. All of this would

1 be different if it was taken into consideration. Am  
2 I wrong or right?

3 A. Not necessarily, ma'am, no.

4 Q. So you're saying that if I didn't have a  
5 leak it will be the same as if I had a leak; is that  
6 what you're saying?

7 A. Yes, ma'am.

8 Q. You're saying leaks is irrelevant?

9 A. In this --

10 Q. No, I just want to know are leaks irrelevant  
11 in making these records?

12 A. In this case, yes, ma'am.

13 Q. So in this case. And another thing, Exhibit  
14 3 here you mentioned that -- a person mentioned  
15 about he repaired that space heater, the same space  
16 heater that he refused to go outside to find a  
17 leak --

18 A. Mm-hmm.

19 Q. -- and he repaired inside but he didn't  
20 repair outside as far as cutting off, stopping the  
21 leak. So you're saying it could leak forever and  
22 will never affect my bill. Leaks are irrelevant,

1 that's what you're saying, Mr. --

2 MR. McCARTHY: Objection. He's not --

3 MS. CHRISTINE EDWARDS: That's what it sounds  
4 like.

5 MR. McCARTHY: -- it's mischaracterizing what  
6 he's saying.

7 MS. CHRISTINE EDWARDS: No, I'm not  
8 mischaracterizing. I'm saying the facts. He based  
9 this on ignoring the fact that the leak exist. And  
10 that's what you're going on. That is my problem.  
11 The guy refused to go outside and you didn't even  
12 have the guy here that did the inspection to testify  
13 that it was a strong leak and another question I  
14 want to ask, with the weather being the way it  
15 done --

16 MR. McCARTHY: Wait. She's got to rule.

17 MS. CHRISTINE EDWARDS: Oh, I'm sorry.

18 JUDGE HAYNES: Can you rephrase your question  
19 to -- you want to know if he took the leak into  
20 consideration?

21 MS. CHRISTINE EDWARDS: Right. I wanted to know  
22 if he took the leak into consideration when he came



1 up with all these calculations because from my  
2 observation, all of these things was done ignoring  
3 the fact that I had this leak. And I also --

4 JUDGE HAYNES: These calculations are based on  
5 your meter readings.

6 MS. CHRISTINE EDWARDS: Yeah, but if the reading  
7 is showing that I'm heating up outside versus in my  
8 house, then I'm going to have a higher reading  
9 because of a leak. That's what I'm seeing here, you  
10 know. And they're not, to me, accounting for that  
11 leak when they come up with these figures.

12 JUDGE HAYNES: I have a separate question.

13 EXAMINATION OF

14 MS. CHRISTINE EDWARDS

15 BY

16 JUDGE HAYNES:

17 Q. When was this heater installed?

18 A. I know it was around '95 or '96. It had to  
19 be.

20 Q. That's close enough. And who installed it?

21 A. It was --

22 Q. Was it you --